

Minutes of the Personnel Committee

Tuesday, August 19, 2008

Chair Schellinger called the meeting to order at 1:04 p.m.

Present: Supervisors Tom Schellinger (Chair), Steve Wimmer, Jim Heinrich and Jim Dwyer. Dave Falstad arrived at 1:05 p.m. and Dwyer left at 1:05 p.m. Pete Gundrum arrived at 1:12 p.m.

Absent: Jim Behrend and Ted Rolfs.

Also Present: Legislative Policy Advisor Dave Krahn, Chief of Staff Mark Mader, Bob Dorn of the Waukesha Sheriff Deputies Political Action Committee, Employment Services Manager Sue Zastrow, Senior Human Resources Analyst Sylvana Radmer, Jail Administrator Mike Giese, Inspector Steve Marks, Correctional Facility Manager Meg Schnabl, Deputy Inspector Eric Severson, Principal Human Resources Analyst Terri Sgarlata-Lutz, and Labor Relations Manager Jim Richter. Recorded by Mary Pedersen, County Board Office.

Public Comment

Bob Dorn, on behalf of the Waukesha Sheriff Deputies Political Action Committee, spoke in support of discontinuing the pay for performance plan for non-represented employees. He felt the money should be put back into the coffers and used in areas that have been affected by budget cuts. He asked supervisors to reconsider the plan as this money could be used to help them better do their jobs. He also did not believe government employees should receive bonuses.

Falstad arrived at 1:05 p.m. whereby Dwyer left the meeting.

Approve Minutes of 6-17-08

MOTION: Wimmer moved, second by Falstad to approve the minutes of June 17. Motion carried 4-0.

Schedule Next Meeting Dates

September 16th

Executive Committee Report of 7-28 & 8-18

Krahn advised of the following issues discussed at the last two Executive Committee meetings.

- By a 6-1 vote, they approved the change in distribution of library funding.
- Heard a six-month update on capital projects.
- Heard a year-end report on information systems projects.

Report by Supervisor Falstad on the WCA Collective Bargaining and Binding Arbitration Seminar

Falstad reported on the recent Wisconsin Counties Association seminar he attended on collective bargaining and binding arbitration. Attorney Rob Mulcahy, who represents counties almost exclusively in these kinds of matters, spoke about recent cases and what arbitrators are doing with regards to unions versus counties. Falstad said these attorneys have a system and know what they're doing, where they're going, and what the likelihood is of them winning. Attorney Peter Davis also spoke. He is general counsel for the Wisconsin Employment Relations Council. One of

the cases discussed was Sads versus the Whitnall School District with regards to open records/discovery. Falstad explained the Supreme Court's decision in detail and that people need to be very careful about notes written in closed session meetings.

Gundrum arrived at 1:12 p.m.

Presentation and Discussion on the Pay for Performance Plan for Non-Represented Employees

Zastrow referred to information sent out with the agenda pertaining to this item including an excerpt from the Waukesha County Non-Represented Employee Compensation Audit and the 2007 report on performance awards from March of 2008. Zastrow said the program is monitored and reviewed on a regular basis. Pay for performance isn't common in government and Zastrow didn't know what other governments practiced this.

Zastrow said prior to 1997, non-represented employees were in step ranges. There were five or six steps and employees moved through them in six or twelve month intervals. Employees would reach the maximum in 2.5 to 3.5 years and that was it. The only increase, other than a promotion, was the across-the-board increase which everyone received. The system began in 1997 whereby employees who did more were awarded. They also wanted to slow down the progression of those step ranges. Top managers and department heads were put into an open system where everything is based on performance, even the across-the-board increase. The majority of the people were initially put into a new step system and rather than having five or six steps there were now nine steps. And instead of them receiving 5% increases per step, they were now, for the most part, receiving 2.5% or 3% per step. Instead of moving to a new step every six months, they progress once per year. Once employees hit the maximum of their range, they are eligible for a once-per-year award of up to 3%. This is based on meeting their performance objectives and going above and beyond.

The open system was set up so the ranges would receive the across-the-board, approved by the County Board via ordinance, but for an employee to receive it, they must have a performance rating of at least "effective" or 3.0. If they get that rating or better, they can receive the across-the-board. If they do not, it is the decision of the department head as to whether they should receive some of the across-the-board or none of the across-the-board. Also, they have to receive a rating of "greater than effective" or "exceptional" to receive any extra monies. There are no steps but to move through the range they can receive a percentage added to their base and/or a percentage and a one-time check. These checks are not added to the base compensation. The most anyone can have added to their base is 2% and if they are eligible for that 2%, the most non-base they can get is 2%. If they are higher in the range, they can get 1% to their base and up to 3% non-base. Once they hit their maximum, they can just get the non-base award of up to 3%.

Zastrow said the program was set up with the expectation that we would not give everybody the full amount. We want to recognize those that are doing more and hold it out as a carrot. Supervisors make recommendations for rewards to department heads. Department heads are expected to review all recommendations in their department, quality control it, and ensure fairness in the way supervisors are evaluating employees. These recommendations then go to Human Resources who then reports to the County Executive who either modifies the recommendations or approves them. Zastrow noted that very few people get the maximum amount.

With regards to handing out performance awards, Heinrich referred to the annual report and felt there should be peer reviews for equality purposes and to ensure similar benchmarks are being used by each department. For example, it seems much more difficult for an employee to receive an award in the Sheriff's Department (about 60%) than in the Department of Administration (about 95%). Zastrow reiterated that quality controls are in place and department heads have modified employee awards in the past at the urging of the County Executive. Heinrich said this doesn't explain why there is such a big discrepancy between, for example, the Sheriff's Department and the Department of Administration whereby he went on to a new question.

Wimmer was concerned about what he felt were broad terms and not very specific. The terms "effective," "greater than effective" and so on can have different meanings to different people. Zastrow said the system is not perfect but they want employees to receive performance evaluations and that is the most important thing. Gundrum said he didn't understand how adding more levels of pay forces managers to get employee reviews done on time and help employees reach their goals. Zastrow said the main reason for this was to recognize employees for their level of performance. Gundrum felt the bonus plan was a "black eye on this county" but after hearing Zastrow's explanation, he spoke in support of the open plan and proposed that everyone be moved to this plan. Zastrow said this had been done gradually but they have not added anyone in a few years. Some jobs are difficult to put into the open plan simply because they are less goal-oriented.

Discuss Waukesha County Sheriff's Department, Jail Division, Staffing Analysis Final Report of June, 2008

Marks, Giese, Schnabl, and Severson were present to discuss their report as outlined. Marks said he went to the County Executive last week and advised him the department needs more deputies. While the County Executive and Administration Director agreed with the findings, they advised no funding was available. The grant-funded study was conducted with the help of the FBI, Sheriff's Department staff and staff from other County departments including supervisors Morris and Paulson, Human Resources staff, and Chief of Staff Mader. Giese said the primary reasons for involving other County departments were to keep it unbiased and so there would be a heightened level of awareness and trust. Over 2,000 hours were put into this project. The report identifies the need for eleven new positions to cover both the main jail and the Huber facility. Giese explained the formula used to come up with the analysis. The sheriff agreed with several recommendations and some were put into place, yet others will require money (capital projects). Giese said these requests would be spread out long term.

Giese said part of the staffing need dates back to the opening of the new jail in 2005 and again in 2006 when full staffing needs weren't met. As a result, the sheriff later had to close a floor at Huber and put some inmates out on electronic monitoring. He advised they are statutorily required to provide care and custody to inmates. It involves much more than locking them up and providing food. Some inmates require a great deal of care and can require a lot of staff time and management. There are many factors that impact the level of staffing needs. He invited everyone present to visit the jail, spend some time there, and see what it entails. Giese said not only are they seeing more people in jail but they also have more severe issues to deal with, both physically and mentally whereby he gave examples. Falstad said tougher DUI sanctions would have a big impact on our jails whereby Giese and Schnabl agreed. Giese noted that adding fourth time DUI offenses as felonies would increase our jail population by about 400 more per year.

Wimmer asked for information on where we were three years ago, what exactly has changed, and why the additional positions are needed. Giese said they could put that together. For the purpose of promoting their need for nine positions to the County Board, Heinrich suggested explaining how the actual net cost would be less than the eleven positions when figuring in current overtime costs, etc.

Mader discussed his experience with this project. He said he saw a willingness to change, to reengineer and redesign their policies and procedures. The recommendations in the report were quite detailed from changes in camera angles to mental health checks.

Ordinance 163-O-032: Employee Retention/Severance Salary And Benefits For 2009

Richter said this ordinance is done annually in anticipation of the 2009 budget and any possible layoffs which could result due to any budget reductions. The ordinance is exactly the same as the one approved last year. Richter said he does not know of any layoffs at this time.

Under the proposed retention/severance program, regular full-time employees will be eligible for three to nine weeks of severance payment, depending on years of service (regular part-time employees will be eligible for half that benefit). In addition, regular full-time and part-time employees would be eligible for up to three months of the County contribution to the health plan they are enrolled in at the time of the layoff. Laid off employees would also be eligible to participate in the Tuition Assistance Program for one year after being laid off.

Heinrich felt this was more lucrative than industry and said usually when someone is laid off they get nothing. Richter said he has seen severance schedules more lucrative than this. Wimmer agreed and said he has seen clients receive one week severance for each year employed. Richter noted they work very hard to place these individuals in other county jobs, in which case, they would not be eligible for the severance package. Wimmer asked if laid off employees are asked to sign releases. Richter said no and he has never been instructed by Corporation Counsel to do so. Wimmer felt releases were a good idea to alleviate any future lawsuits for some type of discrimination. He felt a severance package was an inducement to sign a release.

MOTION: Gundrum moved, second by Falstad to approve Ordinance 163-O-032. Motion carried 5-0.

Closed Session

MOTION: Heinrich moved, second by Wimmer to go into closed session at 3:19 p.m. in accordance with Section 19.85 (1)(e) Wis. Stats. for the purpose of discussing collective bargaining issues, and to approve the closed session minutes of previous meeting(s). Motion carried 5-0.

MOTION: Wimmer moved, second by Gundrum to return to open session at 3:39 p.m. Motion carried 5-0.

MOTION: Wimmer moved, second by Heinrich to adjourn at 3:39 p.m. Motion carried 5-0.

Respectfully submitted,

Approved on:_____

Ted Rolfs
Secretary